

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HACHETTE BOOK GROUP, INC.,  
HARPERCOLLINS PUBLISHERS LLC,  
JOHN WILEY & SONS, INC., and  
PENGUIN RANDOM HOUSE LLC

Plaintiffs,

v.

INTERNET ARCHIVE and DOES 1 through  
5, inclusive

Defendants.

Case No. 1:20-CV-04160-JGK

**DECLARATION OF RASMUS JØRGENSEN, PH.D.**

I, Rasmus Jørgensen, Ph.D., declare as follows:

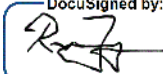
1. I am an economist and Senior Consultant at NERA Economic Consulting (“NERA”). My practice at NERA focuses on the economics of intellectual property, antitrust economics, and calculating economic damages in commercial disputes. My additional qualifications are described in Paragraph 1 of my Opening Expert Report and my CV, attached as Exhibit 1 thereto.

2. I was engaged by the Internet Archive, the Defendant in this lawsuit, to serve as an expert in this case. I submit this declaration based on my personal knowledge and in support of the Internet Archive’s motion for summary judgment. If called upon as a witness, I could and would completely testify to the truth of each statement herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of my Opening Expert Report, served February 25, 2022, and excerpts of its exhibits. That document contains a true, correct, and accurate statement of opinions I have formed in this matter, and the basis for those opinions.

4. Attached hereto as **Exhibit 2** is a true and correct copy of my Rebuttal Expert Report, served May 27, 2022, and excerpts of its exhibits. That document contains a true, correct, and accurate statement of opinions I have formed in this matter, and the basis for those opinions.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on 7/6/2022 in washington, DC.

DocuSigned by:  


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RASMUS JØRGENSEN, PH.D.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 7, 2022 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Joseph C. Gratz  
JOSEPH C. GRATZ